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1-1-01-I-2899

## United States Department of the Interior Fish and Wildlife Service

Sacramento Fish and Wildlife Office  
2800 Cottage Way, Room W-2605  
Sacramento, California 95825-1846

August 27, 2001

Mr. Calvin Fong  
Chief, Regulatory Branch  
U.S. Army Corps of Engineers  
333 Market Street  
San Francisco, California 94105-2197

Subject: Comments Regarding the Russell City Energy Center (01-AFC-7)  
Hayward, California

Dear Mr. Fong:

This letter transmits our comments on the Russell City Energy Center (01-AFC-7) (power plant) located in Hayward, California. The U.S. Fish and Wildlife Service (Service) has reviewed the June 2001, Application for Certification along with additional information provided by the Calpine Corporation, Bechtel Enterprises Holdings, Inc. (applicants), and the California Energy Commission. The project involves development of a 600 megawatt natural gas fired energy generator plant with landscaping on approximately 15 acres of land, additional power lines near the Hayward shoreline, and reuse and discharge of treated wastewater. The proposed project site occurs adjacent or in close proximity to habitats supporting the federally endangered salt marsh harvest mouse (*Reithrodontomys raviventris*), California clapper rail (*Rallus obsoletus longirostris*), California least tern (*Sterna antillarum browni*), and threatened western snowy plover (*Charadrius alexandrinus nivosus*) which are protected under the Endangered Species Act of 1973, as amended (Act). Construction on the 15 acre parcel will result in fill of 1.68 acres of seasonal wetlands, which will likely require authorization under section 404 of the Clean Water Act.

Based upon the information provided, the Service has determined the project is likely to adversely affect the salt marsh harvest mouse, California clapper rail, California least tern, and western snowy plover. The Service recommends that the applicant address the following comments in development of a biological assessment:

- (1) Landscaping and infrastructure will provide roosting and perching locations for avian predators of the salt marsh harvest mouse, California clapper rail, California least tern, and western snowy plover, and an increase in powerlines may contribute to an increase in bird collisions with the powerlines.
  - a) To minimize availability of avian predator perches and nesting sites, landscaping at the project site should: i) be limited to trees with minimal perching surface or have flimsy branches; and, ii) be no taller than 20 feet. Examples of trees not suitable include palm trees and redwood trees.
  - b) All power lines serving the power plant should be fitted with bird flight deterrents. Similarly, all new towers should incorporate designs that minimize perching (*i.e.*, non-lattice tower structures and Nixalite).
- 2) Effluent discharge and storage may result in alteration of existing habitat through added freshwater in a salt marsh, which may result in an alteration of available prey for the California clapper rail, California least tern, and western snowy plover.
  - a) Additional information is needed to analyze potential impacts of waste water collection, treatment, and discharge. Specifically, the applicant should describe how the power plant may contribute to the freshening of local salt marshes, and how warm freshwater effluent may affect the availability of prey items for the California clapper rail, California least tern, and western snowy plover. Likewise, the applicant should describe how elevated concentrations of metals and other contaminants may impact federally listed species. The applicant should also discuss how the storm water detention basin will be managed to reduce effluent pulse discharge.
- 3) Generally speaking, energy production facilities are capable of inducing additional development within the region. Such development may affect federally listed species beyond the footprint of the project.
  - a) Discussion of indirect effects, including how the proposed project may induce growth in the surrounding counties. For instance, the information provided states that the power plant will supply energy for 600,000 people. Does this refer to existing, new, or planned development? The Service is concerned that energy provided for new or planned development may result in impacts to additional federally listed species not mentioned above.

Additionally, during our April 30, 2001, meeting the applicants stated they would investigate conservation actions such as purchasing fee title or a conservation easement of local salt marsh,

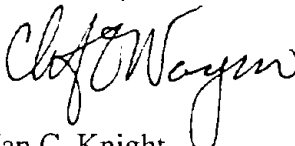

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tidal flats, or adjacent uplands to provide compensation for long-term impacts to species and resources. Please provide information on any proposed conservation actions for our review.

If you have further questions please contact Don Hankins or Daniel Buford at (916) 414-6625.

Sincerely,

  
 Jan C. Knight  
Chief, Endangered Species Division

cc:

Stuart Itoga, CEC, Sacramento, CA

Andrea Grenier, Calpine/Bechtel Joint Development, Pleasanton, CA

Brett Hartman, Foster Wheeler Environmental Corporation, Sacramento, CA

Eric Tattersall, CDFG, Yountville, CA

Mike Monroe, EPA, San Francisco, CA